



# TOWN OF FRAMINGHAM

227053

Memorial Building, 150 Concord Street, Room 121, Framingham, MA 01702

508-532-5400 | 508-532-5409 (fax) | selectmen@framinghamma.gov | www.framinghamma.gov

## Town Manager

Julian M. Suso, ICMA-CM

## Assistant Town Manager

David R. Williams

ENTERED  
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MAY 11 2010

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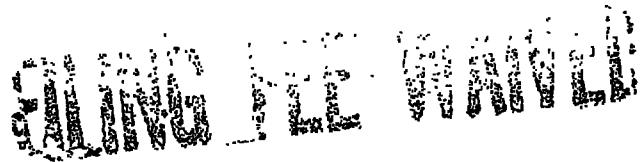


## Board of Selectmen

A. Ginger Esty, Chair  
Laurie Lee, Vice Chair  
Charles J. Sisitsky, Clerk  
Dennis L. Giombetti  
Jason A. Smith

May 3, 2010

Honorable Anne K. Quinlan, Acting Secretary  
Surface Transportation board  
1925 K Street, N.W., Room 700  
Washington, D.C. 20423



Subject: Docket No. AB-565 (Sub-No. 1X), New York Central Lines, LLC – Abandonment Exemption – in Middlesex County, MA; Docket No AB-55 (Sub-No. 593X), CSX Transportation, Inc. – Discontinuance of Service Exemption – in Middlesex County, MA

Dear Secretary Quinlan:

The Town of Framingham, MA ("Framingham") requests that the Surface Transportation Board (the "Board") issue a notice of interim trail use/rail banking – pursuant to 16 USC section 1247(d) for a line of railroad that extends from railroad milepost QBS 0.00 at Framingham to railroad milepost QBS 3.40 at the Framingham town line, a distance of 3.40 miles in Middlesex County, MA, in the above-entitled proceeding. Framingham understands that the line is now owned and operated by CSX Transportation, Inc. ("CSXT"), successor by merger to New York Central Lines, LLC, and that CSXT has not consummated the abandonment of the line.

As required by the Board's rules at 49 CFR section 52.29(a)(3), Framingham submits the following Statement of Willingness to Assume Financial Responsibility.

In order to establish interim trail use and rail banking under 16 USC 1247(d) and 49 CFR 1152.29, the Town of Framingham is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned and operated by CSX Transportation, Inc. The property, known as the Albany Division, Fitchburg Subdivision, extends from railroad milepost QBS 0.00 in Framingham to railroad milepost QBS 3.40 at the Framingham town line, a distance of 3.40 miles in Middlesex County, MA. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-565 (Sub-No. 1X).

In addition, the Town of Framingham has recently completed an independent appraisal of the property and has requested in writing (copy attached) that acquisition negotiations be initiated with CSX regarding this right-of-way. To date, we have received no response from CSX to our request to begin negotiations; CSX is aware of our desire to move forward and understands that this further extension is necessary to do so.

A map of the property depicting the right-of-way is attached. The Town of Framingham acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Surface Transportation Board. As the Town of Framingham is a local government entity, we respectfully request a waiver of the filing fee pursuant to 49 CFR section 1102.2(e)(1).

Enclosed is the original and one copy of this letter. Please time and date stamp the additional copy of this letter and return to this office. Thank you for your assistance. If you have any questions, please advise Town Manager Julian M Suso at (508)532-5400 or at [jsuso@framinghamma.gov](mailto:jsuso@framinghamma.gov).

Sincerely,



Dennis L. Giombetti  
Chair, Board of Selectmen

**Enclosures**

Cc: Board of Selectmen  
Julian M Suso, Town Manager  
David Williams, Assistant Town Manager  
Christopher J Petrini, Town Counsel  
Eugene Kennedy, Assistant Director of Planning  
Bruce McMahon, CSX Regional Property Manager  
David Geraci, CSX Manager of Network Rationalization  
Maurice O'Connell, CSX Resident Vice President  
John Stasik



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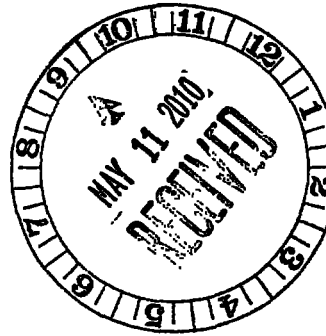
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## Town Manager

Julian M. Suso, ICMA-CM

## Assistant Town Manager

David R. Williams



## Board of Selectmen

A. Ginger Esty, Chair

Laurie Lee, Vice Chair

Charles J. Sisitsky, Clerk

Dennis L. Giombetti

Jason A. Smith

March 17, 2010

Mr. Bruce McMahon, Regional Property Manager

CSX Transportation Inc.

500 Water Street

Jacksonville, FL 32202

**RE: Request To Initiate Acquisition Negotiations: Docket No. AB-565 (sub-no. 1X), New York Central Lines, LLC – Abandonment Exemption – in Middlesex County, MA; Docket No. AB-55(sub-no. 593X), CSX Transportation, Inc. – Discontinuance of Service Exemption – in Middlesex County, MA**

Dear Mr. McMahon,

In regard to this section of right-of-way, the Town of Framingham has completed an appraisal. I am writing to officially request your engagement in acquisition negotiations with the Town of Framingham. Please contact me at your earliest convenience regarding this. If this request should be directed to a different individual at CSX, kindly advise. Thank you.

Sincerely,

Julian M Suso

Framingham Town Manager

Cc: Maurice O'Connell, CSX

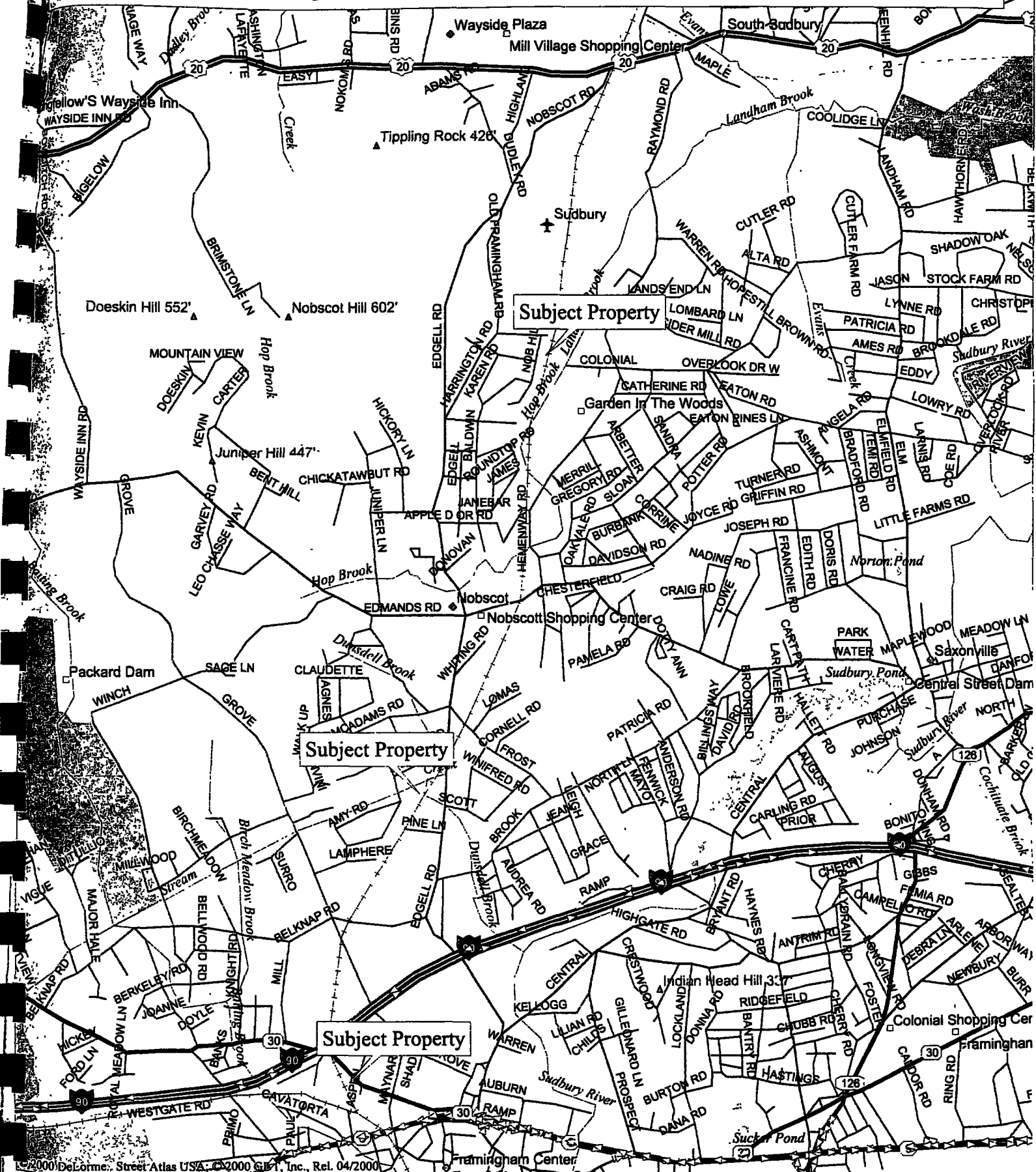
David Geraci, CSX

Board of Selectmen

Christopher Petrini, Town Counsel

Alison Steinfeld, Director of Community & Economic Development

# Subject Neighborhood Map



071° 28' 00.0" W

071° 26' 00.0" W

071° 24' 00.0" W

042° 22' 00.0" N

042° 22' 00.0" N

042° 20' 00.0" N

042° 20' 00.0" N

042° 18' 00.0" N

042° 18' 00.0" N

071° 28' 00.0" W

071° 26' 00.0" W

071° 24' 00.0" W